HOUSE JOURNAL

of the

NINETY-FIFTH GENERAL ASSEMBLY

of the

STATE OF TENNESSEE
ORGANIZATIONAL SESSION
TUESDAY, JANUARY 13, 1987

FIRST ORGANIZATIONAL DAY

The House of Representatives of the Ninety-Fifth General Assembly of the State of Tennessee was called to order at twelve o'clock noon by Mr. Speaker McWherter, in accordance with Article II, Sections 3 and 8 of the Constitution of the State of Tennessee.

The proceedings were opened with prayer by Dr. Robert Crumby, Donelson Presbyterian Church, Donelson, Tennessee.

Representative Ben West led the House in the Pledge of Allegiance to the Flag.

The Speaker directed Mr. Bryant Millsaps, Chief Clerk of the 94th General Assembly, to call the names, by district, of the duly-elected Representatives who have been certified by the Secretary of State.

OATH OF OFFICES OF REPRESENTATIVES-ELECT

Upon their names being called, the following Representatives-

elect stood and were administered the oath prescribed by the State Constitution and the Statutes of Tennessee by the Honorable Ray L. Brock, Jr., Chief Justice of the Tennessee Supreme Court.

REPRESENTATIVES BY DISTRICTS

First Representative District--Jim Holcomb Second Representative District--Ruth C. Montgomery Third Representative District---Ralph Yelton Fifth Representative District--Zane C. Whitson Sixth Representative District--Ruth M. Robinson Seventh Representative District--Robert J. "Bob" Good Eighth Representative District--Joe L. Bewley Ninth Representative District--Bruce Hurley Tenth Representative District--Edward H. Moody Eleventh Representative District--Ronnie E. Davis Twelfth Representative District--Larry C. Huskey Thirteenth Representative District--Ted Ray Miller Fourteenth Representative District--Joseph R. May Fifteenth Representative District--Charles "Pete" Drew Sixteenth Representative District -- Charles M. Severance, Sr. Seventeenth Representative District--Paul C. Scruggs Eighteenth Representative District--Maria Peroulas Nineteenth Representative District--Jimmy Kyle Davis Twentieth Representative District--Arthur M. Swann Twenty-First Representative District--M. F. "Benny" Stafford Twenty-Second Representative District--Bob E. Harrill Twenty-Third Representative District--Clyde B. Webb Twenty-Fourth Representative District--Steve D. Bivens

Twenty-Fifth Representative District--Shirley Duer Twenty-Sixth Representative District--Bobby G. Wood Twenty -Seventh Representative District--Bill H. McAfee Twenty-Eighth Representative District--C. B. Robinson Twenty-Ninth Representative District--Brenda K. Turner Thirtieth Representative District--David Y. Copeland Thirty-First Representative District--Paul M. Starnes Thirty-Second Representative District--James M. Henry Thirty-Third Representative District--Dave Coffey Thirty-Fourth Representative District--Tom Wheeler Thirty-Fifth Representative District--Lynn G. Lawson Thirty-Sixth Representative District--Jerry Cross Thirty-Seventh Representative District--Shelby A. Rhinehart Thirty-Eighth Representative District--Leslie Winningham Thirty-Ninth Representative District--Ed Murray Fortieth Representative District--Frank Buck Forty-First Representative District--S. Thomas Burnett Forty-Second Representative District--Jerry A. Jared Forty-Third Representative District--Ivory O. Hillis Forty-Fourth Representative District--Mayo Wix Forty-Fifth Representative District-Jack A. Long Forty-Sixth Representative District--Joe W. Bell Forty-Seventh Representative District--Lane Curlee Forty-Eighth Representative District--John T. Bragg Forty-Ninth Representative District--Fred R. Hobbs Fiftieth Representative District--Tim Garrett Fifty-First Representative District--Charles R. Robinson

Fifty-Second Representative District--Bill Purcell Fifty-Third Representative District--Victor Ellis Fifty-Fourth Representative District--Harold Love Fifty-Fifth Representative District--Gary Odom Fifty-Sixth Representative District--Jan Bushing Fifty-Seventh Representative District--John Chiles, Jr. Fifty-Eighth Representative District--Mary J. Pruitt Fifty-Ninth Representative District--Richard Clark Sixtieth Representative District-Ben West, Jr. Sixty-First Representative District--Cliff Frensley Sixty-Second Representative District--Clarence W. "Pete" Phillips Sixty-Third Representative District--L. H. "Cotton" Ivy Sixty-Fourth Representative District--J. B. Napier Sixty-Fifth Representative District--C. E. DePriest Sixty-Sixth Representative District--Eugene E. Davidson Sixty-Seventh Representative District--David L. Ussery Sixty-Eighth Representative District---James Thomas Head Sixty-Ninth Representative District--Doug Jackson Seventieth Representative District--Calvin Moore Seventy-First Representative District--Herman L. Wolfe, Sr. Seventy-Second Representative District--Dan Tankersley Seventy-Third Representative District--Matt Kisber Seventy-Fourth Representative District--William H. "Bill" Collier Seventy-Fifth Representative District--L. Don Ridgeway Seventy-Sixth Representative District--Roy B. Herron Seventy-Seventh Representative District--John S. Tanner Seventy-Eighth Representative District--Harold Holt

Seventy-Ninth Representative District--C. Ray Davis Eightieth Representative District--Robert S. Stallings Eighty-First Representative District--Jimmy Naifeh Eighty-Second Representative District--Floyd H. Crain Eighty-Third Representative District--Joe Kent Eighty-Fourth Representative District--David A. Shirley Eighty-Fifth Representative District--Larry Turner Eighty-Sixth Representative District--Rufus E. Jones Eighty-Seventh Representative District--Roscoe E. Dixon Eighty-Eighth Representative District--Guy Cain Eighty-Ninth Representative District--Pam Gaia Ninetieth Representative District--Karen R. Williams Ninety-First Representative District--Lois M. DeBerry Ninety-Second Representative District--Alvin M. King Ninety-Third Representative District--Michael L. Kernell Ninety-Fourth Representative District--W. A. "Dub" Nance Ninety-Fifth Representative District--U. A. Moore Ninety-Sixth Representative District--Joyce B. Hassell Ninety-Seventh Representative District--William Chris Turner Ninety-Eighth Representative District--Ulysses Jones, Jr. Ninety-Ninth Representative District--Dan R. Byrd

Mr. Speaker McWherter announced that Representative Barton Hawkins of the Fourth Representative District was absent due to illness and would be given the oath of office when available.

ADOPTION OF TEMPORARY RULES

Mr. Naifeh moved that the House of Representatives of the Ninety-Fifth General Assembly adopt as its temporary rules the rules of the Ninety-Fourth General Assembly.

Mr. Chiles objected to the adoption of the rules.

Mr. Naifeh called for the question.

Mr. Chiles requested a roll call on the adoption of the temporary rules.

Thereupon, the 94th General Assembly Rules were adopted as the temporary rules of the 95th General Assembly by the following vote:

Ayes																							6	1
Noes																							3	7
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Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Ellis, Garrett, Head, Herron, Hillis, Hobbs, Holt, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Long, Love, Miller, Moore (Lawrence), Murray, Naifeh, Napier, Odom, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Shirley, Stafford, Stallings, Starnes, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Winningham, Wix and Yelton—61.

Representatives voting no were: Bewley, Chiles, Coffey, Copeland, Davis (Cocke), Davis (Knox), Drew, Duer, Frensley, Gaia, Good, Harrill, Hassell, Henry, Holcomb, Hurley, Huskey, Kent, Lawson, May, McAfee, Montgomery, Moody, Moore (Shelby), Nance, Peroulas, Robinson (Washington), Scruggs, Severance, Swann, Tankersley, Ussery, Webb, Whitson, Williams, Wolfe and Wood-37.

A motion to reconsider was tabled.

Mr. Speaker McWherter announced that the next order of business was the election of Speaker.

ELECTION OF SPEAKER

Mr. Speaker McWherter announced that nominations were in order for Speaker of the House of Representatives.

Mr. Jared nominated the Honorable Ed Murray of Franklin County.

Mr. Naifeh seconded the nomination of Mr. Murray.

Mr. Naifeh moved that nominations cease and the Clerk be directed to call the roll, which motion prevailed.

The roll was called with the following results:

Representatives voting for Mr. Murray were: Bell, Bewley,

Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Murray, Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood and Yelton—98.

Mr. Murray, having received a majority of the votes cast, was declared, duly, legally and constitutionally, elected Speaker of the House of Representatives of the Ninety-Fifth General Assembly.

A motion to reconsider was tabled.

Governor-Elect McWherter appointed the following committee to escort Mr. Murray to the Chair: Representatives Jared, Chairman; Hillis, Tanner, Bell and Jones, R. (Shelby).

Mr. Murray expressed his appreciation.

Mr. Speaker Murray recognized Governor-Elect McWherter for farewell remarks.

Governor-Elect McWherter expressed his appreciation.

ELECTION OF SPEAKER PRO TEM

Mr. Speaker Murray announced that the next order of business was the election of a Speaker pro tem, and declared that nominations were in order.

Mr. Jared nominated the Honorable Lois DeBerry of Shelby County.

Mr. Naifeh seconded the nomination of Ms. DeBerry.

Mr. Naifeh moved that nominations cease, and the Clerk be directed to call the roll, which motion prevailed.

The roll was called with the following result:

Representatives voting for Ms. DeBerry were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark,

Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray—98.

Mr. Speaker Murray declared Ms. DeBerry duly, legally and constitutionally elected Speaker pro tem of the House of Representatives of the Ninety-Fifth General Assembly.

A motion to reconsider was tabled.

Ms. DeBerry expressed her appreciation.

ELECTION OF CHIEF CLERK

The Speaker announced the next order of business was the election of Chief Clerk, and declared that nominations were in order.

- Mr. Jared nominated the Honorable Bryant Millsaps of Rutherford County.
- Mr. Naifeh seconded the nomination of Mr. Millsaps.
- Mr. Naifeh moved that nominations cease and the Clerk be elected by voice vote, which motion prevailed.

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Holt, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Napier, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb.

West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray--98.

Mr. Speaker Murray declared Mr. Bryant Millsaps elected Chief Clerk of the House of Representatives of the Ninety-Fifth General Assembly, to serve until the convening of the Ninety-Sixth General Assembly.

A motion to reconsider was tabled.

OATH OF OFFICE

Mr. Speaker Murray administered the oath of office to Mr. Bryant Millsaps, Chief Clerk.

Mr. Millsaps expressed his appreciation.

APPOINTMENT OF HOUSE OFFICERS

Mr. Speaker Murray appointed Betty Kay Francis of Rutherford County as Assistant Chief Clerk.

Mr. Speaker Murray appointed Marilyn Evelyn Hand of Montgomery County as Chief Engrossing Clerk.

Mr. Speaker Murray appointed Greg O'Rear of Lawrence County as Chief Sergeant-at-Arms.

Mr. Jared moved that the House approve the appointment of the House officers, which motion prevailed.

APPOINTMENT OF SELECT COMMITTEES

Mr. Naifeh moved that a committee be appointed by the Speaker to notify the Governor that the House of Representatives has perfected its organization and is ready for the transaction of business, which motion prevailed.

The Speaker appointed the following committee to notify the Governor that the House has perfected its organization and is ready for the transaction of business: Representatives Chiles, Chairman; Holcomb, Coffey, Good, Bushing, Cain, Jones, U. (Shelby), Moore (Lawrence) and Purcell.

Mr. Naifeh moved that a committee be appointed by the Speaker to notify the Senate that the House of Representatives has perfected its organization and is ready for the transaction of business, which motion prevailed.

The Speaker appointed the following committee to notify the Senate: Representatives Naifeh, Chairman; Long, Odom, Head, Jackson, Herron and Holt.

REPORT OF SELECT COMMITTEES

MR. SPEAKER: Your Committee appointed to notify the Governor that the House has perfected its organization and is ready for the transaction of business respectfully reports that we have so notified the Governor

CHILES, Chairman.

MR. SPEAKER: Your Committee appointed to notify the Senate that the House has perfected its organization and is ready for the transaction of business respectfully that we have so notified the Senate.

NAIFEH, Chairman.

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On motion of Mr. Naifeh, the House recessed until 3:00 p.m.

The recess having expired, the House was called to order by Mr. Speaker Murray.

On motion the roll call was dispensed with.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed by the Senate to notify the House that the Senate has perfected its organization and is ready for the transaction of business.

The Honorable John S. Wilder of Fayette County was elected Speaker of the Senate. The Speaker appointed Mr. Clyde W. McCullough, Chief Clerk; Mrs. Daisy Hamlin, Assistant Chief Clerk; Mrs. Elsie Chastain Smith, Chief Engrossing Clerk and Mr. Karl Martin, Chief Sergeant-at-Arms.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Mr. Naifeh moved that in order to facilitate the adoption of the permanent rules for the House of Representatives of the Ninety-Fifth General Assembly, a committee composed of eleven members be appointed for the purpose of reviewing the temporary rules of the House and making any other suggestions concerning rule changes, following which the Select Committee on Rules shall report to the House their recommendations for permanent rules, which motion prevailed.

TUESDAY, JANUARY 13, 1987--1st ORGANIZATIONAL DAY APPOINTMENT OF SELECT COMMITTEE ON RULES

The Speaker appointed Representatives Naifeh, Chairman; Jared, Davis (Gibson), DeBerry, Phillips, Tanner, Chiles, Burnett, Scruggs, Montgomery, Copeland and Mr. Speaker Murray, as the Select Committee on Rules. Mr. Bryant Millsaps, Chief Clerk, will serve as Secretary of the Committee.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 1--Relative to Mrs. Louella Reese--By Phillips.

The Speaker announced that House Joint Resolution No. 1 was held on the Clerks Desk.

House Joint Resolution No. 2--Relative to Hodges Bridge--By Rhinehart.

The Speaker announced that House Joint Resolution No. 2 was held on the Clerks Desk.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 3 out or order, which motion prevailed.

House Joint Resolution No. 3--Relative to Joint Convention, Governor Lamar Alexander farewell address--By Naifeh, Chiles and Burnett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 4 out of order, which motion prevailed.

House Joint Resolution No. 4--Relative to Joint Convention, Inauguration, Governor Ned McWherter--By Naifeh, Chiles and Burnett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was adopted.

A motion to reconsider was tabled.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolutions Nos. 3 and 4; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

3--Relative to Joint Convention, Governor Lamar Alexander farewell address;

4--Relative to Joint Convention, inauguration, Governor Ned McWherter; both concurred in by the Senate.

CLYDE W. McGULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

15--Relative to joint committee, audit offices of Comptroller of the Treasury and State Treasurer;

16--Relative to joint committee, count votes, November 1986 election for Governor;

17--Relative to Joint Convention, elect Comptroller of the Treasury and State Treasurer; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

INTRODUCTION OF BILLS

House Bill No. 1--Bridge Construction--By Scruggs.

Passed first consideration.

House Bill No. 2--Military-alcoholic beverages--By Cross.

Passed first consideration.

House Bill No. 3--Hancock County--By Cross and Hurley.

Passed first consideration.

House Bill No. 4--Psychiatric facilities--By Miller.

Passed first consideration.

House Bill No. 5--Utility districts--By Phillips.

Passed first consideration.

House Bill No. 6--Special occasion licenses--By Phillips.

Passed first consideration.

House Bill No. 7--Military service-retirement--By Rhinehart.

Passed first consideration.

House Bill No 8--- Property maps--- By Webb.

Passed first consideration.

House Bill No. 9--Registration of instruments--By Tanner.

Passed first consideration.

House Bill Nov40--Real property-instruments--By Burnett.

Passed first consideration.

House Bill No. 11--Public records commission--By Copeland.

Passed first consideration.

House Bill No. 12--Dues, county offices--By Naifeh.

Passed first consideration.

House Bill No. 13--Teachers compensation, penal institutions--By Rhinehart.

Passed first consideration.

House Bill No. 14--Retirement, eligibility--By Cross.

Passed first consideration.

Mr. Naifeh moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 15 out of order, which motion prevailed.

Senate Joint Resolution No. 15-Relative to joint committee, audit offices of Comptroller of the Treasury and State Treasurer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was concurred in.

A motion to reconsider was tabled.

Mr. Naifeh moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 16 out of order, which motion prevailed.

Senate Joint Resolution No. 16--Relative to joint committee, count votes, November 1986 election for Governor.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was concurred in.

A motion to reconsider was tabled.

APPOINTMENT OF SELECT COMMITTEE

Pursuant to Senate Joint Resolution No. 16, the Speaker appointed the following committee to canvass the vote for Governor: Messrs. DeBerry, Chiles and Naifeh.

APPOINTMENT OF SELECT COMMITTEE

Pursuant to Senate Joint Resolution No. 15 the Speaker appointed the following Committee to review the audits and operations of the Comptroller of the Treasury and the Department of the Treasury: Messrs. Rhinehart, Naifeh and Chiles.

Mr. Naifeh moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 17 out of order, which motion prevailed.

Senate Joint Resolution No. 17--Relative to Joint Convention, elect Comptroller of the Treasury and State Treasurer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Naifeh, the resolution was concurred in.

A motion to reconsider was tabled.

SECOND ROLL CALL

The roll call was taken with the following results:

Representatives present were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Bushing, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gaia, Garrett, Good, Harrill, Hassell, Head, Henry, Herron, Hillis, Hobbs, Holcomb, Hurley, Huskey, Ivy, Jackson, Jared, Jones, R. (Shelby), Jenes, U. (Shelby), Kent, Kernell, King, Kisber, Lawson, Long, Love, May, McAfee, Miller, Montgomery, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Nance, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton and Mr. Speaker Murray—95.

On motion of Mr. Naifeh the House adjourned until 9:00 a.m. tomorrow.